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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/931,392	08/16/2001	Bryan K. Hicks	14591.10	1575

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WORKMAN NYDEGGER (F/K/A WORKMAN NYDEGGER &
SEELEY)
60 EAST SOUTH TEMPLE
1000 EAGLE GATE TOWER
SALT LAKE CITY, UT 84111

EXAMINER

HO, THOMAS Y

ART UNIT PAPER NUMBER

3677

DATE MAILED: 08/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/931,392

Applicant(s)

HICKS ET AL.

Examiner

Thomas Y Ho

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— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 24-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 06302004.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Status of Claims

Claims 24-45 are pending. Claims 1-23 have been withdrawn or cancelled.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/17/04 has been entered.

Claim Objections

Claims 44-45 are objected to because of the following informalities: claims 44-45 lack antecedent basis. As to claim 44, the recitation of "the first and second protuberances" were not recited in independent claim 37, from which claim 44 depends. As to claim 45, the recitation of "the distal ends of the protuberances" were not recited in independent claim 37, from which claim 45 depends. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 24-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi US5566428 in view of Takahashi US5471716, and further in view of Kasai US4868954, and further in view of Schneider US5507460.

As to claim 24, Takahashi428 discloses a multi-part lanyard connector that couples to an attachment to thereby form a lanyard system, the multi-part lanyard connector enabling convenient disengagement at multiple connection points, the lanyard connector comprising: (A) a lanyard connector body 17/18 (see Figure 7) comprising: a first body 17 portion, the first portion having a proximal portion and a distal portion; and a second body portion 18 that is configured to be selectively disengaged from the first body portion, the second body portion having a proximal portion and a distal portion, the proximal portion of the second body portion selectively, nonrotatably coupling to the distal portion of the first body portion; and (B) a neck 31a (see Figure 6) extending distally from the distal portion of the first body portion, a distal portion of the neck being configured to be disposed within and couple to a portion of an attachment 1a to thereby form a lanyard system, such that a user can selectively detach the first body portion from the second body portion.

The difference between the claim and Takahashi428 is the claim recites, that the device selectively couples to an attachment, the proximal portion of the first body portion configured to be coupled to a lanyard substrate, such that a user can selectively detach an attachment from the distally extending neck.

Takahashi716 discloses a buckle similar to that of Takahashi428. In addition, Takahashi716 further teaches that the proximal portion 34 of a first body portion 11 is configured to be coupled to a lanyard substrate 2. It would have been obvious to one of

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ordinary skill in the art, having the disclosures of Takahashi428 and Takahashi716 before him at the time the invention was made, to recognize that the proximal portion of the first body portion in Takahashi428 is configured to be coupled to a substrate, having identical structure to the proximal portion of a first body portion in Takahashi716. Further, it should be noted that Takahashi716 also teaches that it is old and well known to provide split-neck mounting means 26/26.

Kasai954 discloses a buckle assembly similar to that of Takahashi428. In addition, Kasai954 further teaches the use of a neck 34 that is selectively detachable. It would have been obvious to one of ordinary skill in the art, having the disclosures of Takahashi428 and Kasai954 before him at the time the invention was made, to modify the neck of Takahashi428 to have the split structure of the neck in Kasai954, to obtain selective detachability. One would have been motivated to make such a combination because the ability to make the assembly lightweight (col.1, ln.35-40) and to reduce the amount of material used, would have been achieved, as taught by Kasai954.

Schneider460 discloses a buckle assembly similar to that of Takahashi428. In addition, Schneider460 teaches that a solid neck (see Figure 1) and a split neck (see Figure 8) are equivalent and interchangeable. Inasmuch as the references disclose these elements as art recognized equivalents, it would have been obvious to one of ordinary skill in the exercise art to substitute one for the other. In re Fout, 675 F.2d 297, 301, 213 USPQ 532, 536 (CCPA 1982). Furthermore, Schneider460 provides further evidence that by providing the slit neck, the function of detachability would be achieved by using a tool (col.3, ln.1-5; col.4, ln.20-26)

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As to claim 25, Takahashi428 discloses, wherein the first body portion 17 selectively buckles onto the second body portion 18.

As to claim 26, Takahashi428 discloses, wherein the distal portion of the first body portion 17 comprises a female portion and the proximal portion of the second body portion 18 comprises a male portion, the male portion selectively buckling into the female portion (see Figure 7).

As to claim 27, Takahashi428 discloses, wherein the distally extending neck 31a (see Figure 6) enables the attachment 1a to rotate about the neck.

As to claim 28, Kasai954 teaches, wherein the distally extending neck comprises a split neck.

As to claim 29, Kasai954 teaches, wherein the distally extending neck comprises a split neck having first and second opposing tapering portions configured such that the tapering portions contact a portion of an attachment when the attachment is mounted thereon (see Figures 4-7).

As to claim 30, Kasai954 teaches, wherein the distally extending neck engages the attachment in a snap-fitting relationship.

As to claim 31, Kasai954 teaches, wherein the neck comprises a split neck comprising opposing right and left neck members, each neck member comprising a thinner proximal member and a distal, wider skirt member, wherein the proximal members collectively form a proximal portion having a substantially circular cross section and the skirt members collectively form a skirt portion which tapers proximally, widening as they proceed toward the lanyard connector body.

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As to claim 32, Takahashi428 discloses, a multi-part lanyard connector that couples to an attachment to thereby form a lanyard system, the multi-part lanyard connector enabling convenient disengagement at multiple connection points, the lanyard connector comprising: (A) a lanyard connector body comprising: a first body portion, the first portion having a proximal portion and a distal portion; and a second body portion that is configured to be selectively disengaged from the first body portion, the second body portion having a proximal portion and a distal portion, the proximal portion of the second body portion selectively coupling to the distal portion of the first body portion; and (B) a neck extending distally from the distal portion of the first body portion, a distal portion of the neck being configured to be disposed within and couple to a portion of an attachment in a rotating engagement, to thereby form a lanyard system, such that a user can selectively detach the first body portion from the second body portion, wherein the first and second body portions are configured to be nonrotatably coupled.

Takahashi716 teaches, the proximal portion of the first portion being configured and used to couple to a lanyard substrate 2.

Kasai954 teaches selective attachment by providing a split neck that selectively attaches by snap-fitting, and the neck having first and second opposing tapering portions configured such that the tapering portions contact a portion of an attachment when the attachment is mounted thereon, and can selectively detach an attachment from the distally extending neck.

As to claim 33, Takahashi428 discloses, a multi-part lanyard connector that couples to an attachment to thereby form a lanyard system, the multi-part lanyard connector enabling convenient disengagement at multiple connection points, the lanyard

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connector comprising: a female buckle portion 17, the female buckle portion having a proximal portion and a distal portion; a dual male buckle portion that is configured to be selectively disengaged from the female buckle portion, the dual male buckle portion having: (i) a proximal portion and a distal portion, the proximal portion of the dual male buckle portion comprising a plurality of protuberances (see the lower prongs of 18 in Figure 7) that selectively couple to the distal portion of the female buckle portion; and (ii) a distally extending neck extending from an opposing side of the dual male buckle portion, the neck being configured to be disposed within and couple to a portion of an attachment in a rotating engaging with the attachment, such that a user can selectively detach the male buckle portion from the female buckle portion, wherein the proximal portion of the dual male buckle portion is configured to be nonrotatably coupled to the female buckle portion.

Takahashi716 teaches, the proximal portion of the female portion being configured and used to couple to a lanyard substrate 2.

Kasai954 teaches selective attachment by providing a split neck that selectively attaches by snap-fitting, and the neck having first and second opposing tapering portions configured such that the tapering portions contact a portion of an attachment when the attachment is mounted thereon, and can selectively detach an attachment from the distally extending neck.

As to claim 34, Takahashi428 discloses, wherein the male and female buckle portions are configured to be nonrotatably coupled to each other.

As to claim 35, Takahashi428 discloses, wherein the first and second protuberances each have a proximal end and a distal end, the proximal end of each

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protuberance entering a respective recess in the female buckle portion when the male buckle portion is coupled to the female buckle portion, and wherein each protuberance includes a distally facing notched portion located between a respective proximal and distal end of each respective protuberance (see Figure 7).

As to claim 36, Takahashi428 discloses, wherein the distal ends of the protuberances extend from opposing right and left proximal surfaces of an elongate member.

As to claim 37, Takahashi428 discloses, a lanyard, comprising: a lanyard substrate; and a multi-part lanyard connector that couples to an attachment to thereby form a lanyard system, the multi-part lanyard connector enabling convenient disengagement at multiple connection points, the lanyard connector comprising: (A) a lanyard connector body comprising: a first body portion, the first portion having a proximal portion and a distal portion; and a second body portion that is configured to be selectively disengaged from the first body portion, the second body portion having a proximal portion and a distal portion, the proximal portion of the second body portion selectively nonrotatably coupling to the distal portion of the first body portion; and (B) a neck extending distally from the distal portion of the first body portion, a distal portion of the neck being configured to be disposed within and couple to a portion of an attachment to thereby form a lanyard system, such that a user can selectively detach the first body portion from the second body portion and can detach an attachment from the distally extending neck.

Takahashi716 teaches, the proximal portion of the first portion being configured and used to couple to a lanyard substrate 2.

Kasai954 teaches selective attachment by providing a split neck that selectively attaches by snap-fitting, and the neck having first and second opposing tapering portions configured such that the tapering portions contact a portion of an attachment when the attachment is mounted thereon, and can selectively detach an attachment from the distally extending neck.

As to claim 38, Kasai954 teaches, wherein the neck comprises a split neck.

39. A lanyard as recited in claim 37, wherein the distal portion of the first body portion comprises a female portion and the proximal portion of the second body portion comprises a male portion, the male portion selectively buckling into the female portion.

As to claim 40, Kasai954 teaches, wherein the distally extending neck comprises a split neck having first and second opposing tapering portions configured such that the tapering portions contact a portion of an attachment when the attachment is mounted thereon, wherein the distally extending neck engages the attachment in a snap-fitting, rotating relationship.

As to claim 41, Takahashi428 discloses, wherein the first body portion selectively buckles onto the second body portion.

As to claim 42, Takahashi428 discloses, wherein the distal portion of the first body portion comprises a female portion and the proximal portion of the second body portion comprises a male portion, the male portion selectively buckling into the female portion (see Figure 7).

As to claim 43, Takahashi428 discloses, wherein the male and female buckle portions are configured to be nonrotatably coupled to each other.

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As to claim 44, Takahashi428 discloses, wherein the first and second protuberances each have a proximal end and a distal end, the proximal end of each protuberance entering a respective recess in the female buckle portion when the male buckle portion is coupled to the female buckle portion, and wherein each protuberance includes a distally facing notched portion located between a respective proximal and distal end of each respective protuberance.

As to claim 45, Takahashi428 discloses, wherein the distal ends of the protuberances extend from opposing right and left proximal surfaces of the elongate member.

Response to Arguments

Applicant's arguments with respect to claims 24-45 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Y Ho whose telephone number is (703)305-4556. The examiner can normally be reached on M-F 10:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J Swann can be reached on (703)306-4115. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TYH


ROBERT J. SANDY
PRIMARY EXAMINER